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Michael N. Lau
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In re application of:
Tucciarone et. al DECISION ON PETITION
Serial No.: 09/750,923
Filed: January 2, 2001

For: ELECTRONIC MESSAGING SYSTEM AND METHOD THEREOF

This is a decision on the petition received on November 25, 2003, to withdraw the holding of abandonment in the above-identified application.

The above-identified application became abandoned for failure to reply within the meaning of 37 C.F.R. 1.113 in timely manner to the Notice to File Missing Parts of Application mailed February 16, 2001. Which set a shortened statutory period for reply of two (2) months. Accordingly, this application became abandoned April 17, 2001. A notice of abandonment was mailed on November 3, 2003.

On November 25, 2003 the office received a communication from the attorney of record. Enclosed was an acknowledgment that the attorney responded to the Notice to File Missing Part on April 10, 2001.

The evidence submitted is sufficient to establish that the petitioners responded to the Notice to File Missing Parts of Application on April 10, 2001.

The petition is hereby GRANTED.

The application has been completed for release to Technology Center 2182.

Telephone inquiries concerning this matter may be directed to Doshie E. Day at (703) 308-3640.

Doshie E. Day
Program Management Assistant
Office Initial Patent Examination